

§ 29.3107

§ 29.3107 Rule 4.

The grade assigned to any lot of tobacco shall be a true representation of the tobacco at the time of inspection and certification. If, at any time, it is found that a lot of tobacco does not comply with the specifications of the grade previously assigned, it shall not thereafter be represented as such grade.

§ 29.3108 Rule 5.

A lot of tobacco on the marginal line between two colors shall be placed in the color with which it best corresponds with respect to body or other associated elements of quality.

§ 29.3109 Rule 6.

Any lot of tobacco which meets the specifications of two grades shall be placed in the higher grade. Any lot of tobacco on the marginal line between two grades shall be placed in the lower grade.

§ 29.3110 Rule 7.

A lot of tobacco meets the specifications of a grade when it is not lower in any degree of any element of quality than the minimum specifications of such grade.

§ 29.3111 Rule 8.

In determining the grade of a lot of tobacco, the lot as a whole shall be considered. Minor irregularities which do not affect over one percent of the tobacco shall be overlooked.

§ 29.3112 Rule 9.

Any special factor symbol, approved by the Director of the Tobacco Division of the Agricultural Marketing Service, may be used to show a peculiar side or characteristic of the tobacco which tends to modify the grade.

[24 FR 8771, Oct. 29, 1959, as amended at 49 FR 16758, Apr. 20, 1984]

§ 29.3113 Rule 10.

Interpretations, the use of specifications, and the meaning of terms shall be in accordance with determinations or clarifications made by the Chief of the Standards Branch and approved by the Director.

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§ 29.3114 Rule 11.

The use of any grade may be restricted by the Director during any marketing season, when it is found that the grade is not needed or appears in insufficient volume to justify its use.

§ 29.3115 Rule 12.

Any lot, except strip form, of Leaf (B Group) tobacco in which 20 percent or more of its leaves are under 16 inches in length shall be designated as Tips (T Group).

[49 FR 16758, Apr. 20, 1984]

§ 29.3116 Rule 13.

Degrees of uniformity shall be expressed in terms of percentages. The percentages shall govern the portion of a lot which must meet the specifications of the grade. The minor portion must be closely related but may be of a different group, quality, and color from the major portion. These percentages shall not affect limitations established by other rules.

§ 29.3117 Rule 14.

The application of injury as an element of quality shall be expressed in terms of a percentage of tolerance. The appraisal of injury shall be based upon the percentage of affected leaf surface or the degree of injury. In appraising injury, consideration shall be given to the normal characteristics of the group as related to injury.

§ 29.3118 Rule 15.

Any lot of tobacco containing over 20 percent of variegated leaves shall be described as "variegated" and designated by the color symbol "K."

[51 FR 40407, Nov. 7, 1986]

§ 29.3119 Rule 16.

Any lot of tobacco of B, C, or X groups which contains 30 percent or more of pink or pinkish leaves or contains 30 percent or more of a color distinctly different from the major color shall be classified as "mixed" and designated by the color symbol "M."